S.B.CRIMINAL MISC. PETITION NO.482/2007

Date : 02.08.2007

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. H.K. Jain)
Mr. R. Bhatnagar) for the petitioner.
Mr. Ashok Upadyaya, Public Prosecutor for the State.

By moving the present criminal misc. petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 16.03.2007 passed by learned Additional Chief Judicial Magistrate, Raisinghnagar in FIR No.78/2007 P.S. Raisinghnagar, whereby the learned trial court rejected the application moved for giving the woods on 'Supurdginama'.

Submission of learned counsel for the petitioner is that the learned trial court in arbitrary manner rejected the application moved for giving the woods on 'Supurdginama'. Learned counsel has placed before me a letter issued by the Regional Forest Officer showing that infact the said wood was sold in an auction conducted by the Forest Department, therefore, there is no reason to seize the said wood.

In view of above, I deem it proper to give direction to the learned trial court to consider the matter, in case, application for 'Supurdginama' is submitted afresh and to decide the matter preferably within a period of one month from the date of receipt of the order.

The misc. petition stands disposed of.

(SATYA PRAKASH PATHAK), J.